

**UNITED STATES DISTRICT
SOUTHERN DISTRICT OF NEW
YORK**

VALERIE DICKS, on behalf of herself and all others
similarly situated, an individual,

Plaintiffs,

v.

COOKS JUNCTION, INC.,
a foreign limited liability company,

Defendant.

Case No.: 1:22-cv-6495-LJL

**NOTICE OF MOTION TO DISMISS THE COMPLAINT
ON BEHALF OF DEFENDANT COOKS JUNCTION, INC.**

PLEASE TAKE NOTICE that, upon the accompanying Declaration of Catherine Janes, sworn to on December 28, 2022, and the accompanying Memorandum of Law in Support of Defendant's Motion to Dismiss the Complaint in the above-referenced action, defendant Cook's Junction, Inc. ("Cook's Junction" or "Defendant"), will move this Court before the Hon. Lewis J. Lyman at 500 Pearl St., Courtroom 15C, New York, NY 10007-1312, for an order and judgment dismissing the Complaint filed in this action by the plaintiff, Valerie Dicks, for lack of personal jurisdiction over defendant, a California corporation, pursuant to Rule 12(b)(2) of the Federal Rules of Civil Procedure, or alternatively, for improper venue pursuant to Rule 12(b)(3) and for such other and further relief as the Court deems just and proper, including costs and reasonable attorneys' fees.

PLEASE TAKE FURTHER NOTICE that, pursuant to Rule 6.1(b)(2) of the Local Rules of Practice of the United States District Court for the Southern District of New York, any

papers to be submitted in opposition to Defendant's motion must be filed with the Court and served upon counsel for defendant within fourteen (14) days.

Dated: New York, New York
January 4, 2023

Respectfully submitted,

COOK'S JUNCTION, INC.

By: /s/ *Michael F. Fleming*

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Attorneys for Defendant

CERTIFICATION OF SERVICE

I hereby certify that on January 4, 2023 a copy of the foregoing was filed electronically and served by mail on anyone unable to accept electronic filing. Notice of this filing will be sent by e-mail to all parties by operation of the court's electronic filing system or by mail to anyone unable to accept electronic filing as indicated on the Notice of Electronic Filing. Parties may access this filing through the court's CM/ECF System.

/s/ Philip H. Stillman

Philip H. Stillman